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COLLARD & ROE, P.C.  
1077 NORTHERN BOULEVARD  
ROSLYN NY 11576

In re Application of :  
KOUSEMAKER et al. :  
Application No.: 10/562,409 :  
PCT No.: PCT/DE2004/000999 :  
Int. Filing Date: 13 May 2004 :  
Priority Date: 24 June 2003 :  
Atty Docket No.:KOUSEMAKER ET AL1-PCT :  
For: METHOD FOR . . . METHYL ESTER :

NOTIFICATION

This application is before the Office of PCT Legal Affairs for consideration of matters arising under 35 U.S.C. 371.

**BACKGROUND**

On 13 May 2004, applicants filed international application PCT/DE2004/000999 which claimed a priority date of 24 June 2003 and designated the United States. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 03 February 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 27 December 2005 (24 December 2005 being a Saturday and 26 December 2005 being a Federal holiday).

On 23 December 2005, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the basic national fee.

On 08 September 2006, applicants filed a declaration of inventors.

On 25 September 2006, the DO/EO/US issued a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495 (Form PCT/DO/EO/903) according the application a 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date of 08 September 2006 and a 35 U.S.C. 371 date of 08 September 2006.

**DISCUSSION**

The electronic file wrapper does not include an English translation of the international application as filed. Accordingly, the requirements of 35 U.S.C. 371(c) for entry into the

national stage in the United States of America were not completed as of the 371 dates indicated in the NOTIFICATION OF ACCEPTANCE mailed 25 September 2006. The 25 September 2006 NOTIFICATION OF ACCEPTANCE is hereby VACATED.

**CONCLUSION**

The NOTIFICATION OF ACCEPTANCE issued 25 September 2006 is VACATED.

Applicants are required to file a translation of the international application as filed into English, and the processing fee of \$130 under 37 CFR 1.492(f) for submitting a translation of the application later than thirty months from the priority date within a time limit of **TWO (2) MONTHS** from the date of mailing of this decision. Extensions of time may be obtained under 37 CFR 1.136(a).

**Failure to timely file a proper response to this decision in a timely manner will result in abandonment of the application with regards to national stage prosecution in the United States.**

Any further correspondence with respect to this matter may be filed electronically via EFS-Web or if mailed should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer  
Legal Examiner  
PCT Legal Affairs  
Office of Patent Cooperation Treaty  
Legal Administration  
Telephone: (571) 272-3301  
Facsimile: (571) 273-0459